

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

Thelma J. Smith,

Plaintiff(s)

Case Number: 1:19-1053  
(Dlott)

Fidelity Mortgage, Inc., et al.

Defendant (s)

**JUDGMENT IN A CIVIL CASE**

**Jury Verdict.**

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**X      Decision by Court.**

This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED:** The Court has reviewed the Report and Recommendation doc. [26], accordingly, Fidelity's motion to dismiss [21] is DENIED. Attorney fees are awarded against counsel for plaintiff for the time and expenses associated with Fidelity's motion to dismiss.

January 5, 2021

Richard W. Nagel, Clerk of Court

By s/Jennifer Webster  
Deputy Clerk